



U.S. Department of Justice

*United States Attorney's Office
District of Delaware*

*The Nemours Building
1007 N. Orange Street, Suite 700
P.O. Box 2046
Wilmington, Delaware 19899-2046*

(302) 573-6277
FAX (302) 573-6220

August 9, 2006

The Honorable Gregory M. Sleet
J. Caleb Boggs Federal Building
844 N. King Street
Room 4324
Lockbox 19
Wilmington, DE 19801

Re: *Delaware Audubon Society, et al. v. Secretary, U.S. Department of the Interior, CA No.06-223 (D. Del.)*

Dear Judge Sleet:

The purpose of this letter is to inform the Court on the status of ongoing settlement discussions between the parties in the above referenced matter.

The parties have been actively engaged in discussions related to settlement of the issues in this case. The parties have exchanged written settlement proposals and had several productive telephone conferences. The parties have made substantial progress in those negotiations and are scheduled to meet by telephonic conference on Thursday, August 10th, to determine whether an agreement can be reached in principle.

It is the United States' position that these discussions may result in resolution of all matters between the parities and could result in dismissal of the matter.

The United States will provide a further update to the Court on the status of the negotiations after the August 10th meeting.

Very truly yours,

COLM F. CONNOLLY
United States Attorney

BY: Douglas E. McCann
Douglas E. McCann
Assistant United States Attorney

cc: Vivian Houghton, Esquire